

MINUTES OF HAMILTON COUNTY COUNCIL, May 02, 7:00 P.M.

GENERALIZED SUMMARY

VERBATIM DISCUSSION ON TAPE ON FILE IN AUDITOR'S OFFICE

President McKinney called to order the regular meeting of the Hamilton County Council. Auditor Mills called the roll: Brad Beaver, John A. Hiatt, Christine Altman, Rick McKinney, Judy Levine, Meredith Carter and Jim Belden. Auditor Mills declared a quorum.

Everyone stood for a moment of silence as directed by Jim Belden and remained standing for the pledge of allegiance.

Councilor Altman moved to approve the minutes of April 11, 2000. Councilor Beaver seconded motion. Motion carried (7-0).

PUBLIC COMMENTS

Mr. Dick Frost:

- ÿ Will send to board origin of Roberts Rules of Order.
- ÿ Thinks formation of various council committee are not according to State Law.
- ÿ Believes council is trying to micro manage the executive branch of government.

COMMITTEE REPORTS

President

Councilor McKinney updated the Council on the following:

- ÿ Councilor McKinney thanked the Council members, Board of Commissioners and Auditor Mills and her staff for attending the special meeting that was held April 25th, 2001.
- ÿ Councilor McKinney thanked Councilor Altman for her inquiry into the interlocal agreement situation and Council attorney Mr. John Culp for his research of what was evident and revealed last week that the Board of Commissioners must have the County Council's approval for interlocal agreements that require funding or they must submit the interlocal to the Indiana Attorney General for approval for the agreement to be valid.

Vice President

Councilor Levine reported on the following:

- ÿ Attended quarterly meeting of the County Health Department and will be contacting the Council will information regarding mosquito health issues.

Highway Committee:

Councilor Beaver reported:

- ÿ Highway committee decided not to meet on Friday since a meeting was held on Wednesday with Board of Commissioners. The Highway Department informed Councilor Beaver there would be no new additional appropriations other than ones that had been previously discussed.

Finance

Councilor Altman:

ÿ Committee did not meet but as was discussed at the joint retreat, finance committee members will meet with Mike Reuter, County Financial Planner on May 8th.

ÿ They will be working with Mr. Reuter to develop different scenarios with respect to possible bond issues as requested by the Board of Commissioners.

ÿ Identify for each project the repayment schedule, cost and possible tax increase.

ÿ Will define at this meeting Mr. Reuters's scope of work. She would request that he look at all pending issues including possible juvenile center expansion, and joint 911 facility.

ÿ Mr. Reuter was asked to put together a proposal as this project is beyond the scope of this retainer.

GIS

ÿ Six county employees attended a three-day class on MicroStation GeoGraphics, our primary GIS software. The class was held on-site in the training room.

ÿ We now have over 50 county employees using GIS software for viewing, maintenance, and analysis of GIS data.

ÿ We have prepared a CD with high-resolution aerial photos and other map features for Schmidt & Associates to use in the master plan for the Taylor property. We have prepared a similar CD for use by the archaeological committee.

Personnel Committee:

Councilor Carter:

ÿ Committee met on April 24th.

ÿ One page memo included in meeting packets tonight for council's review. This E911 recommendation was submitted by Commissioner Clark. This will come back to council at a later time with a more definitive recommendation.

ÿ Jerolyn Ogle has requested a new position from Reassessment Fund to help update property information in Washington Township.

ÿ Madonna Roach is continuing dialog on salaries of probations' officers.

ÿ Judge Hughes made a proposal on funding court reporting.

Criminal Justice Committee:

Councilor Belden:

ÿ Councilor Levine and Councilor Belden attended criminal justice task force meeting and participated in the interview process of two firms who have submitted proposals to study criminal justice system.

ÿ Husky & Associates is the firm this committee has recommended to the Board of Commissioners.

Captain Dan Stevens:

ÿ Three firms narrowed down from five that were solicited by Envoy. All three quotes

submitted were within \$10,000.

ÿ Each of the firms are national companies. Products were reviewed ahead of time and presentations made the day of the interviews by the two firms who were able to attend were excellent.

Councilor Levine:

ÿ These firms were questioned by the Prosecutor, Probation, Sheriff department, Judicial department.

ÿ These firms also have regional locations we can go look at. Their plans were comprehensive, a complete program.

Councilor Belden moved that the Hamilton County Council resolves to appropriate \$115,000 from the Jail Detention Fund #358 to fund the comprehensive study of the Hamilton County Criminal Justice System. Motion seconded by Councilor Altman. Motion carried 7-0.

Miscellaneous

Attorney, Bob Campbell representing Cinergy/ PSI Energy:

ÿ Last week Cinergy/ PSI Energy submitted a petition asking the County Council to declare 187 acres located near Riverwood an Economic Revitalization Area.

ÿ This declaration is required and is a prerequisite to PSI seeking and securing a tax abatement for the proposed improvements of the site.

ÿ Mr. Campbell met with Mr. Culp to discuss the statute on economic revitalization areas. An Economic Revitalization Area includes any area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where this obsolescence may lead to a decline in employment or tax revenue. This is exactly the situation PSI finds themselves in with the Riverwood Plant.

ÿ After approximately 18 months of negotiations with the United States Environmental Protection Agency, PSI Energy and the EPA have entered into a tentative agreement that will allow PSI Energy to move forward with the rehabilitation and redevelopment of the Riverwood Power Plant.

Greg Scott, Supervisor of Property Tax & Legislation:

ÿ Spoke about the finances of the proposed project and effects of abatement. Cinergy/ PSI pays to Hamilton County \$1.6 - \$1.8 million annually in taxes, \$200,000 of that amount are applicable to Noblesville Generating Plant.

ÿ Benefits of this project will reduce the thermal load on White River from 50% to 100%, Reduce by 10,000 tons the pollutants, permanently reduce the coal train traffic that comes into site and permanently reduce the coal truck traffic.

ÿ \$211,000,000 project that will create 160 - 200 construction jobs and 18 - 22 permanent position. \$185,000,000 is taxable personal property.

Dan Ziegler, Noblesville Site Plant Manager

ÿ Spoke specifically about the project itself. This plant is subject of a bullet item in the EPA lawsuit which PSI has reached a tentative agreement.

ÿ Part of stipulations for the resolution involve either retirement of the facility, replacement

of the facility with appropriate power generation equipment, or repowering. PSI proposes repowering which will mean the Riverwood Plant will provide approximately 3/4 of Hamilton Counties power needs.

Councilor Questions:

Ÿ [Tape 1: location 1346] Councilor Carter asked for clarification of employment numbers, new jobs or retaining. Mr. Ziegler stated it depends on what the ultimate outcome of what the plant will be under the EPA tentative settlement. If the plant were to be retired there would be a total loss of jobs, so we would go to zero, if we're allowed to repower and this project goes forward 18 to 22 of these jobs would be retained, positions would be retained, not necessarily the same people, they're obviously getting opportunities to go to other plants, that type of thing if they don't like the combustion turbine operating philosophy. It's a little different from the coal fired boilers so some people may seek other employment within Cinergy. So there's a retention of jobs if we repower, there would be a loss of jobs if we retire.

Ÿ [Tape 1: location 1391] Councilor Altman- Will county, with full abatement PSI has requested, continue to receive from that facility at least \$200,000 of tax each year during course of project? Mr. Scott stated yes, actually more than that, that would be the minimal amount. Councilor Altman- I just want to make sure for our planning purposes your full abatement will not reduce us below the level that we currently receive. Mr. Scott stated legally you can't do that, and also, all the numbers I presented tonight exclude the additional \$1.4 to \$1.6 million we are currently paying for all the other facilities located in Hamilton County, this is on top of that. Councilor Altman- In addition to the needed generation of power which I fully support, there are environmental promises that are implied in this agreement, Is Cinergy willing to commit to fact that this plant will be built as presented in this presentation with respect to water usage, with respect to pollution controls? Mr. Ziegler- Yes, obviously as we go through the design phase some minor changes would occur but the basic design assumptions as presented would be committed to yes.

Ÿ [Tape 1: location 1444] Councilor McKinney- Will there be an increase in noise going from 90 to 300 and the different type of generators? Mr. Ziegler- What we've done now is gathered data on the existing noise at the facility, facility boundaries and at a few of the neighbors around the facility and what we're doing is making a commitment that there will be no increase in noise at those what we call receptors or neighbors. Councilor McKinney- And I like Christine, I also support increases in power generation with all the publicity California had, I'm curious, are you able to state whether Indiana or Hamilton County will have first right to use the extra power? Mr. Ziegler- I was hoping you would ask that question but I didn't want to go into the detail, essentially we have a large switch yard there that multiple voltages that we could tie into, the higher the voltage the farther it can travel. We're tying into the lowest voltage section of the switch yard. The section that serves the Hamilton County, Noblesville area so it's going out on the lines you see running up and down your roads, not the major transmission lines you see going cross country.

Ÿ [Tape 1: location 1505] Councilor Carter asked about a schedule development with the tax. Councilor Altman asked PSI to provide supplemental information showing what you project on taxes at a minimum. Mr. Scott stated he actually had that information with him and had enough copies, he thought that may be one of the questions but everyone must realize we're using the 2000 pay 2001 tax rates to do all of these projections and for whatever reason if the tax rate goes up obviously we'll pay more taxes, if the rate comes down we'll pay less taxes. Mr. Bob Campbell- I just want to reinforce what was said earlier about the proposed 10 year abatement that it's actually not even 100% the first year and the amount of the deduction is reduced every year from 100% to 95% then jumps down to 80% and goes down all the way to 10% in year 9 and 5% in year 10, so as Greg said he has those numbers and we can supply that.

Councilor Comments:

Councilor Beaver:

ÿ Councilors Hiatt and Beaver met with Cinergy/PSI and discussed a couple additional items. One was if the project cost overrun, Councilors Hiatt and Beaver have made a general promise that the Council would not cap the tax abatement.

ÿ The property in question crosses the White River township line, it's possible that White River Township could receive some tax benefit from this project since the Council could declare the entire 187 acres an Economic Revitalization Area.

Councilor Beaver would like for the county council to declare this an Economic Revitalization Area and moved that the council adopt Resolution 05-02-01.A which is the tax abatement on real property and Resolution 05-02-01.B which is the tax abatement on the personal property. Councilor Altman seconded the motion. Councilor Altman asked for an amendment to the personal property resolution to include an additional line be supplemented that "A significant personal property investment will be made at the referenced property." Motion carried 7-0. Public hearing will be held during the next scheduled council meeting.

ADDITIONAL, TRANSFER, REDUCTIONS, AND AMEND FORM 144

Councilor Altman moved to approve County General Auditor additional request in line item 4064 Retro-fit for \$39,109. Councilor Hiatt seconded the motion. Motion carried (7-0).

Councilor Altman moved to approve County General ISS request to transfer from \$5,000 from 1300 Part time to 1407 Overtime. Councilor Levine seconded the motion. Motion carried (7-0).

Councilor Belden resolved to approve additional appropriation request of \$14,769 for line item 1003 Field Appraiser/Data Entry Washington Township Reassessment Fund. Councilor Levine seconded motion. Motion carried (7-0).

Councilor Belden moved to approve 144 Amendment for Washington Township Reassessment Fund line item number 1003 Field Appraiser/ Data Entry for \$24,000. Councilor Levine seconded motion. Motion carried (7-0).

Councilor Altman moved to approve Major Bridge additional request in line item 0191 Olio Road Bridge / Causeway over Geist for \$94,000. Councilor Hiatt seconded motion. Motion carried (7-0).

Councilor Beaver moved to approve Jail Detention Fund additional request in line item 4005 Computer Software for \$58,000. Councilor Levine moved to approve. Motion carried (7-0).

Commissioner Steve Holt: Household hazardous waste

ÿ Task force has been operating for about 1 year and is primarily made up by members of the solid waste district. Representatives from Carmel, Fishers, Board of Health, and County who have participated on this. Conclusion being that time is at hand where something has to be done with household hazardous waste.

ÿ Our philosophy has always been not to have a tax levy, which the solid waste district is capable of doing. Our district is the only county of Indiana's 92 that doesn't have a budget.

ÿ Looking at a first year budget of \$114,000 in start up cost and annual expenses of approximately \$130,000 thereafter. We're able to apply for a grant from IDEM, maximum grant is \$60,000.

ÿ Have talked to municipalities and it has been unanimously decided the fairest way to bill municipalities in year one for the cost of operation is on the basis of animal control. Are looking at the old highway garage as the location for this service.

ÿ Application has been made to IDEM, do not expect approval from them until August and don't anticipate receiving any money until January 2002.

ŷ Facility would be manned 8 a.m. to 5 p.m. weekdays. No charges to residents of Hamilton County will be imposed.

Councilor Beaver made a motion to resolve that the council instruct Commissioner Holt and Councilman Belden to move forward with your plans for Household Hazardous Waste, knowing that the council will support you financially and try to generate whatever Councilor Altman and other council members need by the end of the year to have a higher comfort level with this project. Councilor Levine seconded motion. Motion carried (6-1). Councilor Altman abstained.

AUDITOR'S COMMENTS

ŷ Thanked council for the additional appropriation to redo tax mapping department.

ŷ Tax bills have gone out and wants to thank Julie Crask for her long hours and work on the tax system conversion which was done in twelve weeks.

UNRESOLVED ITEMS

Councilor Beaver made a motion to remove all tabled items. Councilors Levine and Altman reminded the council that the Diversity Fund request was tabled pending a recommendation from the Board of Commissioners. Councilor Beaver withdrew his motion.

Councilor Beaver made a motion to remove from table Cumulative Bridge Fund additional request for Bridge #168. Councilor Belden seconded motion. Motion carried (7-0). Councilor Beaver then motioned to retable until additional information from Highway was received. Councilor Altman seconded motion. Motion carried (5-2) with Councilor Belden and Levine against.

Councilor Beaver made a motion to remove from table the Local Road & Street additional request of \$465,000 for 236th Street from US 31 to Cicero. Councilor Levine seconded motion. Motion carried (7-0). Councilor Beaver made a motion to approve additional. Councilor Levine seconded motion. Motion failed (4-3). Councilor Beaver-no, Councilor Hiatt-yes, Councilor Altman-no, Councilor McKinney-no, Councilor Levine-yes, Councilor Carter-no, Councilor Belden-yes.

Councilor Beaver made a motion to remove from table the Highway Bond additional request of \$404,500 for Olio Road from 96th Street to Geist and \$268,000 for 96th Street from Fall Creek to Olio Road. Councilor Levine seconded motion. Motion carried (7-0). Councilor Beaver moved to approve the additional, Councilor Levine seconded motion. Motion carried (6-1) with Councilor McKinney abstaining.

Councilor Beaver made a motion to remove from table the Highway Coit additional request of \$490,000, Councilor Altman seconded. Motion carried (7-0). Councilor Beaver made a motion to fund the \$490,000 appropriating these funds immediately and review the interlocal agreement and ask the finance committee to look into the \$13-\$14 million needed to complete this project. Motion seconded by Councilor Altman. Motion carried (7-0).

Councilor Belden left meeting at 8:38 p.m.

Councilor Beaver made motion to adjourn meeting. Councilor Altman seconded motion. Motion carried (7-0).

The meeting was duly adjourned.

President
Auditor

Those present:

Dick Frost, County Taxpayer
Manager

Larry Stout, GIS

BJ Casali, ISS Manager
Auditor

Sheri Jobes, Deputy

Fred Koss, Noblesville Preservation
Commissioners Office

Fred Swift,

Larry Dawson, Envoy, Inc.
Cinergy/ PSI Energy

Bill Petranoff,

Steve Pearl, Cinergy/ PSI Energy
Attorney PSI

Robert F. Campbell /

Gregg Scott, Cinergy/ PSI Energy
Cinergy/ PSI Energy

Daphanie Hoppes,

Robert Norris, Cinergy/ PSI Energy
Armstrong & Assoc.

Odetta Cadwell, RW

Susan Miller, Indianapolis Star
Sheriff Dept.

Benny Craig, Hamilton County

Dan Ziegler, Cinergy/ PSI Energy
PSI Energy

Barry Kress, Cinergy /

Matt Morasch, Highway

Les Locke, Highway

Kim Bradley, Observer

Valerie Turner, Government Class